

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA

)

)

V.

)CASE NO: 2:07-cr-104-WKW-SRW

)

NORMAN EVANS MCELROY, JR.

)

**MOTION TO PERMIT FILING**

NOW COMES the Defendant, **Norman McElroy**, by counsel, and respectfully requests permission to file the simultaneously filed Response to Order to Show Cause.

By Order of this Court, said Response due to be filed by January 18, 2008. It is being filed one day after that deadline, but prior to the time government counsel and the Court would ordinarily have to receive and review a January 18 filing.


In support of this request, undersigned counsel would show that she was unable to file the required Response by January 18 due to the necessity of attending four separate meetings on January 18, each of which required counsel's presence longer than anticipated, and included the following:

1. As Executive Director of the office of Federal Defender, counsel had to attend a budget review on January 18, scheduled to include essential staff who would thereafter be on leave, to address the FY 2009 budget request for this office, which is due within days of counsel's return from two required out-of-state meetings, scheduled for January 24 - 25 and January 28 - 31.

2. As Executive Director, counsel also had to meet on January 18 with staff

**MOTION GRANTED**

THIS 22<sup>nd</sup> DAY OF January, 20 08



UNITED STATES MAGISTRATE JUDGE